

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

March 14, 2001

DIVISION ONE

B141876 Ordorica (Certified for Publication)
v.
Workers Compensation Appeals Board
Lance Campers Manufacturing Corporation, Respondent

The WCAB's decision that Ordorica violated sections 4600 and 4601 is affirmed. The WCAB's decision as to the remedy is reversed. The matter is remanded for further proceedings consistent with this opinion.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

B139974 Ghaffari (Not for Publication)
v.
C & L Restaurant

We affirm the February 18, 2000, order denying the motion to compel arbitration. Respondent C & L is awarded its costs.

Ortega, J.

We concur: Spencer, P.J.
Mallano, J.

DIVISION TWO

B139939 People (Not for Publication)
v.
White

The judgment is affirmed.

Cooper, J.

We concur: Boren, P.J.
 Todd, J.

B134777 John Bernard Kihm III, et al. (Not for Publication)
v.
City of Los Angeles et al.

The orders appealed from are reversed and the matter is remanded to the trial court for further proceedings not inconsistent with this opinion. The parties are to bear their own costs on appeal.

Cooper, J.

We concur: Nott, Acting P.J.
 Todd, J.

B137838 People (Not for Publication)
v.
Freddie R.

The matter is remanded to the juvenile court to determine whether the victim of the receiving stolen property charge suffered any loss and whether therefore appellant should pay restitution to the victim. In all other respects, the judgment is affirmed.

Boren, P.J.

We concur: Cooper, J.
Todd, J.

March 14, 2001-Continued

DIVISION TWO (Continued)

B120915 People (Not for Publication)
v.
Harris

The judgment is affirmed.

Boren, P.J.

We concur: Nott, J.
 Todd, J.

DIVISION THREE

Court convened at 9:30AM

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J. and M. Gavinski, Deputy Clerk.

Each of the following:

B142297 Children & Family Services v. Martin S., et al
B141460 Children and Family Services v. Steven C.
B146492 Gary H. v. S.C.L.A.
B142494 Children & Family Services v. Cheri T.

Argument waived, cause submitted.

B140244 Luther Scaife et al.
v.
Earl Jones

Appearances:
Phillip Schlosberg for respondent. No appearance for appellant. Argument waived, cause submitted.

DIVISION TWO (Continued)

B137951 Jennifer O'Neill
 v.
 Brian Kaufman et al.

Merits:
Argued by Timothy D. Reuben for appellant and by Guy C. Nicholson and James P. Schreiber for respondents. Cause submitted.

B140925 Los Angeles County, D.C.F.S.
 v.
 Brian C., et al.

Merits:
Argued by Michael Salazar and Lori Fields for appellants and by Doraine F. Meyer, deputy county counsel, for respondent. Cause submitted.

B138195 L & B. Real Estate
 v.
 Sally Kloppenburg et al.

Merits:
Argued by Mitchel J. Ezer for appellant and by Michael C. O'Brien for respondents. Cause submitted.

B137759 Rajendra Desai et al.
 v.
 City of Long Beach et al.

Merits:
Argued by Frank A. Weiser for appellant and by Randall C. Fudge for respondent. Cause submitted.

DIVISION THREE (Continued)

B131993 County of Los Angeles
v.
Atlantic Richfield Company

Merits:

Argued by Richard J. Ayoob for appellant and by Albert Ramseyer for respondent. Submission deferred. Respondent has to March 26, 2001 to file letter brief and appellant has to April 9, 2001 to file a reply.

Court recessed at 12:10 P.M.

Court reconvened at 1:30 P.M.

Present: Klein, P.J., Croskey, J., Kitching, J., Aldrich, J., Fidler, J. (Assigned) and M. Gavinski, Deputy Clerk.

Each of the following:

B143652 Children and Family Services v. Isabel G.
B134831 Harold Green v. Packard Bell Nec., Inc.
B141938 People v. Anthony M. Garcia-Luna
B141719 People v. Lisa M. Welchert
B141781 People v. Jody Gibson
B146879 Sylvai M. v. S.C.L.A.

Argument waived, cause submitted.

B142170 People
v.
Juan R. Dubon

Merits:

Argued by Carlos Vellanoweth for appellant and by Karen Bissonnette, deputy attorney general, for respondent. Cause submitted.

DIVISION THREE (Continued)

B135664 People
 v.
 Kevin Quimet

Merits:
Argued by Allen G. Weinberg for appellant and by Rama R. Maline, deputy attorney general, for respondent. Cause submitted.

B137650 Amex Assurance Company
 v.
 Lewis E. Ross, Inc.

Merits:
Argued by Bruce N. Graham for appellant and by Timothy J. Watson for respondent. Cause submitted.

B142512 Cucamongans United for Reasonable Expansion
 v.
 The Heights at Havenview Estates

Merits:
Argued by Malissa McKeith for appellant and by Helen Arens and William E. Halle for respondent. Cause submitted.

B134368 Neville Saldanha et al.
 v.
 Rodgers B. Dorr et al.

Merits:
Argued by Ronald Beck and Ellen R. Serbin for appellants and by Julian A. Pllok and Phillip L. Nadler for respondents. Cause submitted.

Court adjourned at 3:45 P.M.

DIVISION FOUR

B140585 People (Not for Publication)
v.
Osborne and
Harris

We reverse both Osborne's and Harris's convictions as to count 4. Their convictions are affirmed in all other respects.

Epstein, Acting P.J.

We concur: Hastings, J.
Curry, J.

B139311 Stewart (Not for Publication)
v.
Colonial Western Agency

The January 18, 2000, order imposing sanctions on Colonial Western's counsel as corrected nunc pro tunc on September 20, 2000, is affirmed.

Curry, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

B137494 People
v.
Gonzales et al.

Filed order modifying opinion. Petition for rehearing is denied. (Change in judgment)

March 14, 2001-Continued

DIVISION FOUR (Continued)

B131599 Liewen (Not for Publication)
v.
S.C.L.A.

The judgment is reversed. Appellant is to have her costs on appeal.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Hastings, J.

DIVISION FIVE

B137405 People (Not for Publication)
v.
Shsandra Marie Riley

The judgment is affirmed.

Turner, P.J.

We concur: Grignon, J.
Godoy Perez, J.

B140315 People (Not for Publication)
v.
Tereso Hernandez et al.

The judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Willhite, J. (Assigned)

DIVISION FOUR (Continued)

B141639 Ben J. Hurst (Not for Publication)

v.

Roy B. Walker, as Trustee, etc.

The judgment is affirmed. Respondent Ben J. Hurst is awarded his costs on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
Willhite, J. (Assigned)

B141836 Ruby Morales, an Incompetent Person, etc. (Not for Publication)

v.

Bruce G. Fagel et al.

The appeal is dismissed. The parties are to bear their own costs on the instant appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
Willhite, J. (Assigned)

B146476 Stern Metals, Inc. (Not for Publication)

v.

Joseph Ash

Respondent is awarded its costs on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
Willhite, J. (Assigned)

DIVISION SIX

Court convened at 9:00 A.M.

Present: Yegan, Acting P.J., Coffee, J. and G. Bents, Deputy Clerk.

B138835 The Environmental Coalition
 v.
 Ventura Local Agency Formation Commission

Argument continued to April, 2001.

B140722 Staben
 v.
 CFF Management, Inc.

Argument continued to April, 2001.

B140021 National Union Fire Insurance Company
 v.
 Montgomery

Argument continued to May, 2001.

B140426 Marino
 v.
 National Union Fire Insurance Company

Argument continued to May, 2001.

B141222 Sanabria
 v.
 The Regents of the University of California

Argument waived, cause submitted.

DIVISION SIX (Continued)

B134650 Woodward
 v.
 Kaiser Permanente Medical Center, Inc.

Merits:

Counsel stipulate that Presiding Justice Gilbert may participate as a panel member in this case. Argued by Sandra R. King for appellant and by Roxanne Huddleston for respondent. Cause submitted.

B141556 Mirzai
 v.
 Priest

Merits:

Counsel stipulate that Presiding Justice Gilbert may participate as a panel member in this case. Argued by Melbourne B. Weddle for appellant and by Harold E. Griffin for respondents. Cause submitted.

Court recessed at 9:40 A.M.

Court reconvened at 1:30 P.M.

Present: Yegan, Acting P.J., Coffee, J., Perren, J. and G. Bents, Deputy Clerk.

B141893 Embarcadero Municipal Improvement Dist.
 v.
 Santa Barbara County

Argument continued to April, 2001.

B139337 Hansen
 v.
 Hansen

Merits:

Counsel stipulate that Presiding Justice Gilbert may participate as a panel member in this case. Argued by Robert D. Wendt for appellant / cross-respondent and by David C. Peterson for respondent / cross-appellant. Cause submitted.

DIVISION SIX (Continued)

B132635 The Bank of New York
 v.
 Niewzal

Merits:

Argued by Walter R. Luostari for appellants Niewzal, by Stephen E. Anderson for respondent / appellant Bank of New York, and by Ann S. Lee for respondent Ryland Mortgage Company. Cause submitted.

B139788 Sanchez
 v.
 Santa Barbara County

Merits:

Argued by Eugene D. Locken for appellant, by Martin McKenzie, Deputy County Counsel, for respondent Santa Barbara County and by Ellen B. Kamon for respondent Santa Barbara County Regional Health Authority. Cause submitted.

B138390 Wood
 v.
 Bifano

Merits:

Argued by Bruce Wood, appellant in propria persona, by Lisa D. Collinson for respondent Bifano, by Kenneth R. Zuetel for respondent Kirkpatrick, and by Maureen Elizabeth Clark for respondent Ventura Co. General Hospital. Cause submitted.

Coffee, J. left the bench.

B136715 City of Santa Maria
 v.
 Shell Oil Co.

Merits:

Counsel stipulate that Presiding Justice Gilbert may participate as a panel member in this case. Argued by Scott R. Baker for appellant and by Kevin A. Mills for respondent. Cause submitted.

March 14, 2001-Continued

DIVISION SIX (Continued)

Court adjourned at 3:50 P.M.

DIVISION SEVEN

B144753 People (Not for Publication)
v.
Talisa Hooper-Turner

The judgment is affirmed.

Lillie, P.J.

We concur: Johnson, J.
 Woods, J.

B138857 People (Not for Publication)
v.
Ronnie Joe Greer

That portion of the judgment imposing sentence on count II is reversed and the cause is remanded to the trial court for imposition of sentence on count II in accordance with the views expressed in part VII of this opinion. In all other respects the judgment is affirmed

Lillie, P.J.

I concur: Woods, J.
I concur and dissent: Johnson, J. (Opinion)

B141356 Los Angeles County, D.C.F.S. (Not for Publication)
v.
Keith M., et al.

The order terminating parental rights is affirmed.

Boland, J. (Assigned)

We concur: Lillie, P.J.
 Johnson, J.

DIVISION SEVEN (Continued)

B140241 Tammy Mei Chu Wan (Not for Publication)
v.
Law Eagle APLC et al.

The judgment is reversed with respect to the ruling granting leave to amend to add a cause of action for violations of the Business and Professions Code, and the award of damages and attorneys' fees made thereunder. The judgment is also reversed with respect to the finding that Martin is individually liable on any cause of action. In all other respects, the judgment is affirmed. Each party is to bear its own costs on appeal. The clerk of this court is directed to send a copy of this opinion to the California State Bar.

Boland, J. (Assigned)

We concur: Johnson, Acting P.J.
 Woods, J.